

UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY

UNITED STATES OF AMERICA : Criminal No. 08-24
v. : 29 U.S.C. § 501(c)
RICHARD KLEMSER :

INFORMATION

The defendant having waived in open court prosecution by Indictment, the Acting United States Attorney for the District of New Jersey charges:

1. At all times relevant to this Information:

(a) Machinists Local Lodge 1041 (hereinafter "Local 1041") was a "labor organization" within the meaning of the provisions of Title 29, United States Code, Sections 152(5), 402(I) and 402(j). It represented and admitted to membership persons employed by four railroad companies in New Jersey: NJ Transit, Norfolk Southern Railway Company, Consolidated Rail Corporation, and CSX.

(b) Defendant RICHARD KLEMSER was the Secretary-Treasurer of Local 1041 from in or about 2001 through in or about March 2008. As such, he was an officer of a labor union, pursuant to Title 29, United States Code, Section 402 (q). As an officer, he was also a fiduciary and his duties and obligations were, among others: (1) to act solely in the interests of the


members of the union; (2) to avoid acting in his own personal self interest; and (3) to avoid acting on behalf of any party whose interests were adverse to the interests of the union.

2. From at least as early as January 2004, through in or about March 2008, in Monmouth County, in the District of New Jersey and elsewhere, the defendant,

RICHARD KLEMSER,

did knowingly and willfully embezzle, steal and unlawfully convert to his own use and the use of others, money and funds of Local 1041, a labor organization of which he was an officer, totaling at least \$60,000.

In violation of Title 29, United States Code, Section 501(c).



Ralph J. Marra, Jr.
Acting United States Attorney

CASE NUMBER: _____

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District of New Jersey

UNITED STATES OF AMERICA

v.

RICHARD KLEMSER

INFORMATION FOR

29 U.S.C. § 501(c)

RALPH J. MARRA

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